

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RAYNARD JACKSON,

Plaintiff,

v.

ORDER

07-cv-656-bbc

JOAN GERL, GARY BOUGHTON,
DANE ESSER, T. BROWN, J.T.
BROWN, LARRY JOHNSON, MICHAEL
SHANNON, JEFF REWEY, THOMAS
TAYLOR, VICKY MANDERFIELD,
RICHARD SCHNEITER, PETER
HUIBREGTSE, DR. COX, R. HABLE,
CAPTAIN GARDNER, T. SAWINSKI,
JOHN SHARPE, KELLY TRUMM, T. LANSING,
MS. THESING, TOM GINZKE, RICK
RAEMISCH, JOHN BETT, STEVE CASPERSON,
DAN WESTFIELD, MARION HARTMANN
MATTHEW FRANK, JOHN DOE #1 (f/k/a
DR. LAMAR) and JOHN DOE #2 (f/k/a S.D. HABLE),

Defendants.

As this case has progressed, it has become apparent that in order for plaintiff to prosecute his several claims within the boundaries of the Federal Rules of Civil Procedure, he will need the assistance of a lawyer. Naikang Tsao, a member of the Wisconsin Bar, has

agreed to represent plaintiff, with the understanding that he will serve with no guarantee of compensation for his services. It is this court's intention that the appointment of Mr. Tsao to represent plaintiff extend to proceedings in this court only.¹

Plaintiff should be aware that because I am appointing counsel to represent him, he may not communicate directly with the court about matters pertaining to his case. He must work directly with his lawyer and permit him to exercise his professional judgment to determine which matters are appropriate to bring to the court's attention and in what form.

In light of the fact that counsel will be assisting plaintiff in this case, plaintiff's recently filed motion for evidentiary sanctions and temporary restraining order (Dkt. #25) and motion for default judgment (Dkt. #36) will be denied.

The next step is to schedule a preliminary pretrial conference before the magistrate judge to set a calendar for moving this case to resolution. Before that can happen, however, there remains one more defendant whose appearance has not yet been entered and whose answer has not yet been filed. Pursuant to an order of this court dated May 13, 2008, the United States Marshal is attempting to locate defendant Sawinski in order to serve him with plaintiff's complaint. If the Marshal files a return of service indicating that Sawinski could

¹"Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

not be located, Sawinski will be dismissed from the case without prejudice and the case will proceed directly to the preliminary pretrial conference. If the return shows that Sawinski has been served, the court will await Sawinski's answer before scheduling the conference. In the meantime, counsel for plaintiff will have time to familiarize himself with the case and prepare to prosecute it.

ORDER

IT IS ORDERED that Naikang Tsao is appointed to represent plaintiff in this case.

Further, IT IS ORDERED that plaintiff's motions for evidentiary sanctions and temporary restraining order (Dkt. #25) and for default judgment (Dkt. #36) are DENIED.

Entered this 17th day of June, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge